



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 7**

11201 Renner Boulevard
Lenexa, Kansas 66219

SEP 30 2015

Mr. Timothy Rhodd
Chairman
Iowa Tribe of KS and NE
3345B Thrasher Road
White Cloud, Kansas 66094-9624

Re: Public Water System Monitoring Requirements
Federal ID No.: 070000008

**Notice of Violation and
No Further Action**

Dear Chairman Rhodd:

The U.S. Environmental Protection Agency, Region 7 recognizes the Iowa Tribal Public Water System as a Community Water System, as defined by the Safe Drinking Water Act 40 CFR § 141.2. The purpose of this Notice of Violation of the SDWA is described below.

Failure to Monitor – Inorganic Chemical Sampling Rule 40 CFR § 141.23(d)(2):

Our records indicate that the Iowa Tribal PWS failed to perform the required quarterly sampling for Nitrate in the second quarter 2015, which is a violation of 40 CFR § 141.23(d)(2). The Iowa Tribe PWS has been sampling quarterly for Nitrates since directed by the EPA in a letter dated July 13, 2010. The letter referenced a 10 mg/L sample result taken on November 17, 2009, as the basis for the increased monitoring. The quarterly Iowa Tribe PWS nitrate sample results have continued to be over 5 mg/L, which is greater than half the Maximum Contaminant Level and, therefore, requires continued quarterly nitrate sampling. The Iowa Tribal PWS Operator completed the third quarter Nitrate sampling on July 21, 2015. No further actions are required at this time. Please be reminded that you are required to continue with quarterly sampling until notified by the Region 7 Drinking Water Management Branch.

Failure to Deliver – Consumer Confidence Report Rule 40 CFR § 141.152(b):

All Community Water Systems in the United States are required to deliver a Consumer Confidence Report to their customers by July 1 annually. The report must contain information on the quality of the water delivered and characterize any risks from exposure to contaminants in the drinking water. The Iowa Tribal PWS failed to mail the 2014 Consumer Confidence Report before July 1, 2015, which is a violation of 40 CFR § 141.152(b). The 2014 CCR was mailed on August 5, 2015, and the Iowa Tribal PWS operator certified the mailing via fax on the same day. The Iowa Tribal PWS has no further actions required at this time.

Region 7 will continue to provide technical assistance to the Iowa Tribal PWS. If you have questions on this letter, please contact Kimberly Burr at willis-burr.kimberly@epa.gov or by telephone at (913) 551-7069.

Sincerely,

A handwritten signature in black ink, reading "Karen Flournoy". The signature is fluid and cursive, with the first name "Karen" and last name "Flournoy" clearly distinguishable.

Karen Flournoy
Division Director
Water, Wetlands and Pesticides Division

cc: Vernon Rhodd, Operator Iowa Tribal PWS
Lyle Setwyn, Indian Health Service, Holton, KS